



California Fair Political Practices Commission

March 4, 1986

Katherine Stroh
California Forest Protective Association
Senator Hotel Office Building
1121 L Street, Suite 307
Sacramento, CA 95814

Re: FPPC Advice No. A-86-038

Dear Ms. Stroh:

Kathy Donovan, FPPC Legal Counsel, has referred your letter dated January 29, 1986, to me for reply.

You asked whether the Evergreen Association is a "single" or "multiple" sponsored PAC.

AB 688 (Chapter 498, 1985 Statutes) added Government Code Section 82048.5 to the Political Reform Act, effective January 1, 1986. Section 82048.5 provides:

(a) "Sponsored committee" means a committee, other than a controlled committee, which has one or more sponsors. Any person, except a candidate, proponent, or other individual, may sponsor a committee.

(b) A person sponsors a committee if any of the following apply:

(1) The committee receives all or nearly all of its contributions from the person or its members, officers, employees, or shareholders.

(2) The person collects contributions for the committee by use of payroll deductions or dues from its members, officers, or employees.

(3) The person alone or in combination with other organizations, provides all or nearly all of the administrative services for the committee.

(4) The person, alone or in combination with other organizations, sets the policies for soliciting contributions or making expenditures of committee funds.

Katherine Stroh
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Based on your letter and earlier telephone conversations between a representative of the California Protective Association and FPPC staff, we have determined that the Evergreen Association is a "sponsored" committee.

AB 688 also amended Gov. Code Section 84102, which sets out the requirements for contents of committee Statements of Organization, to require that the Statement of Organization of a sponsored committee contain the following:

(h) ... Whenever a committee has more than one sponsor, and the sponsors are members of an industry or other identifiable group, a term identifying that industry or group.

In addition, Gov. Code Section 84106 was added to provide:

(a) Whenever identification of a sponsored committee is required by law, the identification shall include the full name of the committee as contained in its statement of organization.

Based on the language and the intent of the legislative amendments contained in AB 688, it is our opinion that the Evergreen Association has more than one sponsor and, therefore, the name of the committee must include a term identifying the industry affiliation of the sponsors. An acceptable name for the committee would be the following, or a similar name:

Evergreen PAC (Timber Products Industry)

Thank you for your inquiry. Please contact me if you have any further questions.

Sincerely,



Jeanne Pritchard
Chief, Technical Assistance
and Analysis Division



CALIFORNIA FOREST PROTECTIVE ASSOCIATION

Senator Hotel Office Building • 1021 L Street, Suite 307 • Sacramento, CA 95814
(916) 444-6592

January 29, 1986

Ms. Kathy Donovan
Fair Political Practices Commission
P.O. Box 807
Sacramento, CA 95804

Dear Kathy:

This letter is in response to our telephone conversation this afternoon, and previous conversations with Diane Fishburn, during which we discussed the status of the timber products industry's political action committee (Evergreen Association) under the new PAC ID bill. We need clarification of what type of sponsor Evergreen is - "single" or "multiple."

Evergreen Association is administered by William Walsh of Sequoia Associates in Menlo Park. All contributions are collected exclusively by Evergreen Association. Contribution considerations are made by the members of Evergreen Association.

The membership of Evergreen consists of 24 members. Of the 24 members of Evergreen, 19 are also members of the California Forest Protective Association (CFPA has a total of 30 members).

Pursuant to our conversation today, our filing deadline will be extended until the Commission has determined Evergreen Association's status under the PAC ID bill.

Sincerely,

Katherine Stroh
Office Administrator

cc William Walsh



California Fair Political Practices Commission

February 3, 1986

Katherine Stroh
Office Administrator
California Forest Protective
Association
1121 L Street, Suite 307
Sacramento, CA 95814

Re: 86-038

Dear Ms. Stroh:

Your letter requesting advice under the Political Reform Act has been received by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact me directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or unless more information is needed to answer your request, you should expect a response within 21 working days.

Very truly yours,

Kathryn E. Donovan
Counsel
Legal Division

REL:plh